

Charge Against Employer Assignment Sheet

IO Assisted: <input type="checkbox"/> Yes <input type="checkbox"/> No		Inquiry No: 1-2455132721		Method of Receipt: <input type="checkbox"/> Visit <input checked="" type="checkbox"/> Written (fax, e-filed, or mail)	
Case No.: 31-CA-		CASE NAME: KINKISHARYO INT.y			
DATE FILED: 3/27/2019			CATEGORY: <input type="checkbox"/> I <input checked="" type="checkbox"/> X <input type="checkbox"/> II <input type="checkbox"/> III		
Potential 10(j): <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		8(a)(2) (indicated name of union):		# discriminatees 8(a)(3):	
# of Employees (if not currently on charge):					
Dispute City: Palmdale		Hot Topics: <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> Cessation of Dues Check-off <input type="checkbox"/> Challenges to Acting GC's Authority <input type="checkbox"/> Discharge Organizing Campaign <input type="checkbox"/> Employer Mandatory Arbitration Policy <input type="checkbox"/> Fast Food <input type="checkbox"/> Social Media </div> <div style="width: 48%;"> <input type="checkbox"/> Information Requests for Financial Records <input type="checkbox"/> Post Arbitration Deferral <input type="checkbox"/> Recess Appointments <input type="checkbox"/> Recusal <input type="checkbox"/> Successor Employer <input type="checkbox"/> Two-Member Quorum Filings <input type="checkbox"/> Use of Employer email </div> </div>			
Dispute State: CA					
QUESTIONNAIRE: <input type="checkbox"/> UNILATERAL <input type="checkbox"/> DISCRIMINATION <input type="checkbox"/> GRIEVANCES <input type="checkbox"/> INFORMATION <input type="checkbox"/> FAILURE TO HIRE					
Dispose of Allegations (Target date):					
COMMENTS: (b) (5)					
Bargaining Status: <input type="checkbox"/> Existing Contract <input type="checkbox"/> None <input type="checkbox"/> Organizing Campaign <input type="checkbox"/> Seeking Initial Contract <input type="checkbox"/> Seeking Succeeding Contract					
SUPERVISOR: Silverman			AGENT: Aguirre		
8(a)(1)			8(a)(4)		
<input type="checkbox"/> Coercive Actions (Surveillance, etc) <input checked="" type="checkbox"/> Coercive Rules <input type="checkbox"/> Coercive Statements (Threats, Promises of Benefits, etc.) <input checked="" type="checkbox"/> Concerted Activities (Retaliation, Discharge, Discipline) <input type="checkbox"/> Denial of Access <input type="checkbox"/> Discharge of supervisor (Parker-Robb Chevrolet) <input type="checkbox"/> Interrogation (including Polling) <input type="checkbox"/> Lawsuits <input type="checkbox"/> Weingarten			<input type="checkbox"/> Changes in Terms and Conditions of Employment <input type="checkbox"/> Discharge (including Layoff and Refusal to Hire) <input type="checkbox"/> Discipline <input type="checkbox"/> Refusal to Reinstate Employee/Striker <input type="checkbox"/> Shutdown or Relocate/ Subcontract Unit Work		
8(a)(2)			8(a)(5)		
<input type="checkbox"/> Assistance <input type="checkbox"/> Domination <input type="checkbox"/> Unlawful Recognition			<input type="checkbox"/> Alter Ego <input type="checkbox"/> Failure to Sign Agreement <input type="checkbox"/> Refusal to Bargain/Bad Faith Bargaining (including surface bargaining/direct dealing) <input type="checkbox"/> Refusal to Furnish Information <input type="checkbox"/> Refusal to Recognize <input type="checkbox"/> Repudiation/Modification of Contract [Sec 8(d)/Unilateral Changes] <input type="checkbox"/> Shutdown or Relocate (e.g. First National Maint.) Subcontract Work		
8(a)(3)			8(e)		
<input type="checkbox"/> Changes in Terms and Conditions of Employment <input type="checkbox"/> Discharge (Including Layoff and Refusal to Hire (not salting)) <input type="checkbox"/> Discipline <input type="checkbox"/> Lockout <input type="checkbox"/> Refusal to Consider/Hire Applicant (salting only) <input type="checkbox"/> Refusal to Hire Majority <input type="checkbox"/> Refusal to Reinstate E'ee/Striker (e.g. Laidlaw) <input type="checkbox"/> Retaliatory Lawsuit <input type="checkbox"/> Shutdown or Relocate/ Subcontract Unit Work <input type="checkbox"/> Union Security Related Actions			<input type="checkbox"/> All Allegations against a Labor Organization <input type="checkbox"/> All Allegations against an Employer		
			Related C Case(s):		
			Blocks R Case(s):		

NXGEN Disposition Sheet

Case Due (Month): 06/19Case Name: Kinkisharyo Int.Determination Date: 04/8/2019Case Number: 31-CA-238606

Determination date is: date of complaint, deferral, or dismissal authorization, date withdrawal requested by Charging Party, date settlement signed by Charged Party and Charging Party (if unilateral, date signed by Charged Party)

Board Agent: AguirreSupervisor: SilvermanCategory: 2

Bargaining Status ☒ Existing Contract ☐ None ☐ Organizing Campaign ☐ Seeking Initial Contract ☐ Seeking Succeeding Contract

(1) Check the appropriate action

(2) mark *all* allegation types that apply, as follows:

☐ Partial Action, please state the status of the remaining allegation(s): 8(a)(1) and (3) allegations of retaliation for engaging in protected concerted activities are pending investigation.

☒ Withdrawal Forward with recommendation W=withdrawn not adjusted; A=Adjusted

Reason for WD: ☐ Case set for dismissal (no merit)
☐ Charging and Charged Party have resolved the dispute alleged in the charge (Regional Office Remedies Attached)
☐ Charging Party does not wish to proceed for reasons other than above-listed reason (no determination made)

☐ Complaint Issuance Forward with draft complaint √= allegation type in Complaint

☐ Deferral/Abeyance Issuance Forward with draft letter C=Collyer; D=Dubo; A=Abeyance

☐ Dismissal Issuance Forward with draft letter D=Dismissed; A=Adjusted w/ Remedies Sheet attached

Were the reasons for proposed dismissal in absence of WD given in detail to ☐ CP or ☐ Atty? ☐ No or ☐ Yes on ☐ date ☐ in person, ☐ by phone or ☐ in writing.

On refusal to withdraw, was the ☐ CP or ☐ Atty informed, pursuant to outstanding instructions, that a long-form dismissal letter setting forth the reasons for dismissal would issue unless CP or Atty specifically stated no such long-form dismissal letter was desired? ☐ Yes or ☐ No. If not, why not?

Was the offer of a long-form dismissal letter rejected by ☐ CP or ☐ Atty? ☐ Yes or ☐ No. Was the ☐ CP or Atty informed that the Charged Party would receive a copy of the dismissal letter? ☐ Yes or ☐ No.

☐ Settlement Approval Forward with draft settlement Formal: √= allegation type in Settlement Informal: B = Bilateral; U=Unilateral (if unilateral, prepare Letter Approving Unilateral Settlement)

☐ Merit Dismissal Issuance Forward with draft letter Initial Merit Dismissal ☐ Final Merit Dismissal Letter ☐ (include remedies report)

8(a)(1)

- ☐ Coercive Statements (Threats, Promises of Benefits, etc.)
☒ Concerted Activities (Retaliation, Discharge, Discipline)
☐ Denial of Access
☐ Discharge of supervisor (Parker-Robb Chevrolet)
☐ Coercive Actions (Surveillance, etc.)
☐ Weingarten
☐ Interrogation (including Polling)
☐ Lawsuits
☒ Coercive Rules

8(a)(2)

- ☐ Assistance
☐ Domination
☐ Unlawful Recognition

8(a)(3)

- ☐ Changes in Terms and Conditions of Employment
☐ Discharge (Including Layoff and Refusal to Hire (not salting))
☐ Discipline
☐ Lockout
☐ Retaliatory Lawsuit
☐ Refusal to Consider/Hire Applicant (salting only)

8(a)(3)(cont.)

- ☐ Refusal to Hire Majority
☐ Refusal to Reinstate E'ee/Str ker (e.g. Laidlaw)
☐ Shutdown or Relocate/ Subcontract Unit Work
☐ Union Security Related Actions

8(a)(4)

- ☐ Changes in Terms and Conditions of Employment
☐ Discharge (including Layoff and Refusal to Hire)
☐ Discipline
☐ Shutdown or Relocate/ Subcontract Unit Work
☐ Refusal to Reinstate Employee/Striker

8(a)(5)

- ☐ Alter Ego
☐ Refusal to Bargain/Bad Faith Bargaining (incl'g surface bargaining/direct dealing)
☐ Failure to Sign Agreement
☐ Repudiation/Modification of Contract[Sec 8(d)/Unilateral Changes]
☐ Refusal to Furnish Information
☐ Refusal to Recognize
☐ Shutdown or Relocate (e.g. First National Maint.).Subcontract Work

NXGEN Disposition Sheet

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8(b)(1)(A)

- ☐ Coercion, incl'g Statements and Violence
- ☐ Denial of Access
- ☐ Discipline (including charges/fines)/Harassment
- ☐ Duty of Fair Representation, incl'g Superseniority, denial of access
- ☐ Union Dues and/or Membership Related (including excessing fees)
- ☐ Hiring Halls
- ☐ Picketing/Strike Actions
- ☐ Rules: Coercive

8(b)(1)(B)

- ☐ Fund Contribution Related
- ☐ Lawsuits
- ☐ Other Allegations
- ☐ Statements/Threats/Violence

8(b)(2)

- ☐ Hiring Hall Related
- ☐ Lawsuits
- ☐ Union Security Related Actions
- ☐ Causing Employer to Discriminate/Retaliate

8(b)(3)

- ☐ Refusal to Bargain/Bad Faith or Surface Bargaining
- ☐ Failure to Sign Agreement
- ☐ Refusal to Furnish Information
- ☐ Repudiation/Modification of Contract

8(b)(4)(A)

- ☐ Picketing/Handbilling
- ☐ Lawsuits/Grievances
- ☐ Statements

8(b)(4)(B)

- ☐ Picketing/Handbilling
- ☐ Lawsuits/Grievances
- ☐ Statements

8(b)(4)(C)

- ☐ Picketing
- ☐ Lawsuits/Grievances
- ☐ Statements

8(b)(4)(D)

- ☐ All allegations

8(b)(5)

- ☐ All allegations

8(b)(6)

- ☐ All allegations

8(b)(7)(A)

- ☐ All allegations

8(b)(7)(B)

- ☐ All allegations

8(b)(7)(C)

- ☐ All allegations

8(e)

- ☐ All Allegations against a Labor Organization
- ☐ All Allegations against an Employer

8(g)

- ☐ All allegations

If processing a full withdrawal, full dismissal, or closing on compliance, select from the below:

At what point is the case closing?

- ☒ Pre-Complaint
- ☐ After ALJ Decision
- ☐ After Board Order – Automatic Decision
- ☐ After Board Order – Contested Decision
- ☐ After Board Order – Stipulated Decision
- ☐ After Complaint, Before Hearing
- ☐ After Consent Court Judgment
- ☐ After Contested Court Judgment
- ☐ After Contempt Judgment
- ☐ After Hearing Closed
- ☐ After Hearing Opened, Before Hrg. Closed
- ☐ After Supreme Court Judgment
- ☐ Pre 10(k) Notice of Hearing

How is the case closing?

- ☒ Withdrawal, adjusted
- ☐ Withdrawal, not adjusted
- ☐ Dismissal, adjusted
- ☐ Dismissal, not adjusted
- ☐ Compliance with Board Decision
- ☐ Compliance with Court Judgment
- ☐ Compliance with ALJ Decision
- ☐ Compliance with Formal Settlement
- ☐ Compliance with Informal Settlement
- ☐ Compliance with 10(k) Board Determination
- ☐ Without Full Compliance with Board Decision
- ☐ Without Full Compliance with Court Judgment
- ☐ Without Full Compliance w/Formal Settlement
- ☐ Without Full Compliance w/Informal Settlement

X NxGen file is completed.

☐ **HOT TOPIC designated.** Circle all applicable.

Cessation of Dues Check-off	Recess Appointments
Information Requests for Financial Records	Discharge Organizing Campaign
Use of Employer E-mail	Noel Canning
Social Media	Fast Food
Post Arbitration Deferral	Challenges to Acting GC's Authority
Employer Mandatory Arbitration Policy	

If the Charging Party has requested withdrawal, please fill out the below:

On 4/8/2019 date, X CP or Atty verbally/in **writing** withdrew the instant charge. I recommend approval.

S. Aguirre

(Board Agent's signature)

4/9/2019

(Date)

Withdrawal request approved

4/10/19

(Date)

Mori Ruben

Regional Director, Region 31

NXGEN Disposition Sheet

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National Labor Relations Board

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Show More

Post Notice	End Picketing
Post Notice: Company Posted Date	End Picketing: Date Ended
Company Posting Type	End Picketing: No. of Employees Returning from Work
Post Notice: Union Posted Date	End Work Stoppage
Union Posting Type	End Work Stoppage: Date Ended
Withdraw Assistance from Union	End Work Stoppage: No. of Employees Returning to Work
Letter or Notice Withdrawing Assistance	Bargain
Disestablish Union	Bargain: Status of Bargaining When Case Closed
Letter or Notice Disestablishing	Other Remedies
Information Provided	Parties have reached an agreement to resolve (L.P. Despite the Region's request, no further details were provided)

The National Labor Relations Board is going green!

This Region will be issuing most case-related correspondence, **including dismissal letters, deferral letters, and withdrawal letters**, by email. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address.

Using e-mail will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer.

If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 31
11500 W OLYMPIC BLVD
SUITE 600
Los Angeles, CA 90064-1753

Agency Website: www.nlr.gov
Telephone: (310)235-7351
Fax: (310)235-7420



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March 28, 2019

MASAYA WAKUDA, Vice President
KINKISHARYO INT.
1960 E. Grand Avenue, Suite 1210
El Segundo, CA 90245

Re: KINKISHARYO INT.
Case 31-CA-238606

Dear Ms. WAKUDA:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Sara Aguirre whose telephone number is (310)307-7320. If this Board agent is not available, you may contact Supervisory Field Attorney JOANNA SILVERMAN whose telephone number is (310)307-7309.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB

office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Mori Rubin". The signature is written in a cursive, flowing style.

MORI RUBIN
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

31-CA-238606

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months**? If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

KINKISHARYO INT.

Charged Party

and

IBEW LOCAL 11

Charging Party

Case 31-CA-238606

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on March 28, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

MASAYA WAKUDA, Vice President
KINKISHARYO INT.
1960 E. Grand Avenue, Suite 1210
El Segundo, CA 90245

March 28, 2019

Date

Vicky Luu, Designated Agent of NLRB

Name

/s/ V Luu

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 31
11500 W OLYMPIC BLVD
SUITE 600
Los Angeles, CA 90064-1753

Agency Website: www.nlr.gov
Telephone: (310)235-7351
Fax: (310)235-7420



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March 28, 2019

KRISTIAN A MENDOZA, BUSINESS AGENT
IBEW LOCAL 11
360 GRAND CYPRESS AVE SUITE 302
PALMDALE, CA 93551

Re: KINKISHARYO INT.
Case 31-CA-238606

Dear Mr. MENDOZA:

The charge that you filed in this case on March 27, 2019 has been docketed as case number 31-CA-238606. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Sara Aguirre whose telephone number is (310)307-7320. If this Board agent is not available, you may contact Supervisory Field Attorney JOANNA SILVERMAN whose telephone number is (310)307-7309.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to

take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Mori Rubin". The signature is written in a cursive, flowing style.

MORI RUBIN
Regional Director

Copy of charge only sent to:

Jammi Juarez, Union Representative
IBEW
900 7th Street NW
Washington, DC 20001

From: Aguirre, Sara
Sent: Wednesday, April 3, 2019 11:58 AM
To: mendoza@ibew11.org
Subject: NLRB Charge 31-CA-238606 (Kinkisharyo Int.)

Hello,

The above-referenced charge has been assigned to me for investigation and I would like to schedule affidavit interview(s) regarding this charge. Please contact me as soon as possible to schedule the affidavit. At this time, I am available at **9:00 a.m.** on the following dates:

Tuesday, April 9, 2019
Wednesday, April 10, 2019
Wednesday, April 17, 2019

Please provide all of the Union's evidence, including in-person affidavit for all witnesses, by close of business **Thursday, April 18, 2019**. If you do not submit all evidence regarding this matter by this date, I may recommend dismissal for lack of cooperation.

Regards,
Sara Aguirre
Board Agent
National Labor Relations Board
11500 W. Olympic Blvd., Suite 600
Los Angeles, CA 90064
(310) 307-7320 (direct)
(310) 235-7420 (fax)

From: Aguirre, Sara
Sent: Monday, April 8, 2019 3:27 PM
To: Kristian Mendoza
Subject: RE: NLRB Charge 31-CA-238606 (Kinkisharyo Int.)

Thank you for the email. I am confirming your request to withdraw the charge. Can you provide details regarding the resolution reached between the parties?

From: Kristian Mendoza <mendoza@ibew11.org>
Sent: Monday, April 8, 2019 11:05 AM
To: Aguirre, Sara <Sara.Aguirre@nrlb.gov>
Subject: RE: NLRB Charge 31-CA-238606 (Kinkisharyo Int.)

Good morning Sara,
The we have agreed on a solution with the company and can withdraw the charge.
Thank you,



Kristian Mendoza
IBEW Local 11 | Business Agent/ Industrial
360 Grand Cypress Ave., suite 302, Palmdale, CA 93551
Office: 661-274-9461 | **Cell:** 661-965-0288 | **Fax:** 626-521-5790
Email: Mendoza@ibew11.org | **Web:** www.ibew11.org

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From: Aguirre, Sara [<mailto:Sara.Aguirre@nrlb.gov>]
Sent: Monday, April 08, 2019 9:02 AM
To: Kristian Mendoza
Subject: RE: NLRB Charge 31-CA-238606 (Kinkisharyo Int.)

Good morning,

Thank you for the update.

Sara

From: Kristian Mendoza <mendoza@ibew11.org>
Sent: Friday, April 5, 2019 3:28 PM
To: Aguirre, Sara <Sara.Aguirre@nrlb.gov>
Subject: RE: NLRB Charge 31-CA-238606 (Kinkisharyo Int.)

Good afternoon Sara,

The company and union are working on an agreement in this case and should have a final outcome by next Tuesday. As soon as I have something in writing I will update you so we can close the case.

Thank you,



Kristian Mendoza

IBEW Local 11 | Business Agent-Industrial

360 Grand Cypress Ave., Suite 302 Palmdale CA. 93551

Office: 661-274-9461 | **Cell:** 661-965-0288 | **Fax:** 626-521-5790

Email: mendoza@ibew11.org | **Web:** www.ibew11.org

From: Aguirre, Sara <Sara.Aguirre@nlrb.gov>

Sent: Wednesday, April 3, 2019 8:58 AM

To: Kristian Mendoza <mendoza@ibew11.org>

Subject: NLRB Charge 31-CA-238606 (Kinkisharyo Int.)

Hello,

The above-referenced charge has been assigned to me for investigation and I would like to schedule affidavit interview(s) regarding this charge. Please contact me as soon as possible to schedule the affidavit. At this time, I am available at **9:00 a.m.** on the following dates:

Tuesday, April 9, 2019

Wednesday, April 10, 2019

Wednesday, April 17, 2019

Please provide all of the Union's evidence, including in-person affidavit for all witnesses, by close of business **Thursday, April 18, 2019**. If you do not submit all evidence regarding this matter by this date, I may recommend dismissal for lack of cooperation.

Regards,

Sara Aguirre

Board Agent

National Labor Relations Board

11500 W. Olympic Blvd., Suite 600

Los Angeles, CA 90064

(310) 307-7320 (direct)

(310) 235-7420 (fax)

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From: Romero, Jorge
Sent: Wednesday, April 10, 2019 6:20 PM
Subject: ELECTRONIC SERVICE OF LETTER APPROVING WITHDRAWAL – DO NOT REPLY TO THIS EMAIL
Attachments: WDL.31-CA-238606.Letter Approving Withdrawal in C Case.pdf

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SERVICE OF LETTER APPROVING WITHDRAWAL**

**Case Name: KINKISHARYO INT.
Case Number: 31-CA-238606**

In accordance with the National Labor Relations Board Rules and Regulations, as amended, you are hereby served with a copy of the Letter Approving the Withdrawal of the Charge in this matter. You can view the letter by clicking the attached pdf file. You may wish to print or save the letter and this email for your records. You will not receive a copy of this document by U.S. mail.

Please do not reply to this email. If you have questions regarding this correspondence, please refer to the contact information contained in the attached pdf file.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 31
11500 W OLYMPIC BLVD
SUITE 600
Los Angeles, CA 90064-1753

Agency Website: www.nlrb.gov
Telephone: (310)235-7351
Fax: (310)235-7420

April 10, 2019

Masaya Wakuda, Vice President
Kinkisharyo Int.
1960 E. Grand Avenue, Suite 1210
El Segundo, CA 90245-_____

Re: KINKISHARYO INT.
Case 31-CA-238606

Dear Ms. Wakuda:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

A handwritten signature in black ink that reads "Mori Rubin".

MORI RUBIN
Regional Director

cc: Kristian A Mendoza, Business Agent
IBEW Local 11
360 Grand Cypress Ave Suite 302
Palmdale, CA 93551-_____